IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION No. 421 (MS) of 2006

1. Dr. Manmohan Singh Grover,
   S/o Sardar Amar Singh,
   R/o 50-A, Subhash Road,
   Dr. Grover's Nursing Home,
   Dehradun.
2. Dr. (Smt.) Amrit Grover,
   Wife of Dr. Manmohan Singh Grover,
   Resident of 50-A, Subhash Road,
   Dr. Grover's Nursing Home,
   Dehradun. .....Petitioners.

Versus

1. Court of Civil Judge (Sr. Div), Dehradun.
2. Shri Lal Bahadur Thapa,
   son of Shri Hans Bahadur, R/o 50-A, Subhash Road, Dr. Grover's Nursing Home, Dehradun.
3. Smt. Savitri Thapa, Wife of Shri Lal Bahadur Thapa, resident of 50-A, Subhash Road, Dr. Grover's Nursing Home, Dehradun.
4. Km. Shalini Thapa, daughter of Shri Lal Bahadur Thapa, resident of 50-A, Subhash Road, Dr. Grover's Nursing Home, Dehradun.
5. Km. Meera Thapa, daughter of Shri Lal Bahadur Thapa, resident of 50-A, Subhash Road, Dr. Grover's Nursing Home, Dehradun.
6. Km. Vineeta Thapa, daughter of Shri Lal Bahadur Thapa, resident of 50-A, Subhash Road, Dr. Grover's Nursing Home, Dehradun.

.....Respondents.

Sri B.P.S. Mer, Advocate for the petitioner.
Learned Standing Counsel for the respondent no.1.

Dated: 25.04.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the learned Court of Civil Judge (Sr. Div.) Dehradun (respondent no. 1) to decide the Suit No. 74 of 2001, Dr. Manmohan Singh Grover & another Versus Shri Lal Bahadur Thapa & others expeditiously.

Briefly stated, according to the petitioner, when the respondents no. 2 to 7 failed to comply the notice and did not vacant the said portion of property no. 50-A, Subhash Road, Dehardun, the petitioners preferred a Suit No. 74 of 2001, Dr. Manmohan Singh Grover & another Vs. Shri Lal Bahadur Thapa & others. The petitioners have filed their written statement during the pendency of the suit.

The grievance of the petitioner is that since the suit relates to the year, 2001 and the respondents are not vacating the premises in question, therefore, the matter may be expedited.

In view of the above, learned Civil Judge (Sr. Div.), Dehradun (respondent no. 1) is directed to decide the Suit No. 74 of 2001, Dr. Manmohan Singh Grover & another Vs. Shri Lal Bahadur Thapa & others within a period of six months from the date of presentation of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

25.04.2006
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